

REMARKS

Applicant's representative initiated a telephone interview with Examiner Siefke so as to help expedite prosecution. Applicant and Applicant's representative would like to thank Examiner Siefke for his courtesy in conducting the interview and for his assistance in resolving issues. The indication of allowable subject matter in claims 2, 6, 9 and 12 is acknowledged and appreciated. Accordingly, the limitations of claim 2 have been incorporated into claim 1 and claim 6 has been rewritten into independent form. Further, during the interview, it was agreed that claims 3 and 10 are also patentable over Sawai et al. for at least the reasons previously made of record (e.g., Sawai et al. does not disclose, *inter alia*, measuring both transmitted **and** scattered light intensity).

Claims 1, 3-5, 10 and 11 stand rejected under 35 U.S.C. § 102 as being anticipated by Sawai et al. ('724). This rejection is respectfully traversed for reasons previously made of record. In the Advisory Action dated December 31, 2003, the Examiner references new portions of Sawai et al. as allegedly being relevant to claim 1, but it is submitted that the newly relied on portions of Sawai et al. do not disclose or suggest, among other things, "measuring transmitted light intensities and/or scattered light intensities of a solution to be detected **containing a specific component** before and after mixing a reagent." The Examiner does not appear to address the previously made arguments against the rejection of claims 4 and 11, and it is submitted that claims 4 and 11 are also patentable over Sawai et al. for at least the reasons previously made of record.

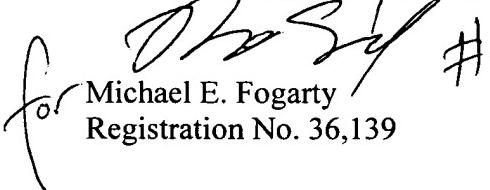
Nonetheless, without prejudice or disclaimer and solely to expedite prosecution of this application, claim 1 has been amended to include the allowable subject matter of claim 2 and claim 11 has been amended into dependent form.

Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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**Date: February 13, 2004**